



## REPORTING OF THE RECORD TASK FORCE

### Meeting Minutes October 29 – 31, 2003

Administrative Office of the Courts  
455 Golden Gate Avenue, San Francisco, CA 94102

#### ***TASK FORCE MEMBERS PRESENT:***

Hon. James A. Ardaiz, Chair, Administrative Presiding  
Justice of the Court of Appeal, Fifth Appellate District  
Hon. S. William Abel, Presiding Judge, Superior Court  
of Colusa County  
Ms. Maura Baldocchi, CSR, Official Court Reporter,  
Superior Court of San Francisco County  
Mr. Gary M. Cramer, CSR, Official Court Reporter,  
Superior Court of Los Angeles County  
Ms. Deena C. Fawcett, Clerk/Administrator, Court of  
Appeal, Third Appellate District  
Mr. Edward J. Horowitz, Esq., Law Offices of  
Edward J. Horowitz  
Mr. Len LeTellier, Executive Officer, Superior Court of  
Sutter County  
Mr. Gary Evan McCurdy, Esq., Assistant Director,  
Central California Appellate Program  
Ms. Jeanne Millsaps, Executive Officer, Superior Court  
of San Joaquin County  
Mr. Gordon Park-Li, Executive Officer, Superior Court  
of San Francisco County  
Mr. Tom Pringle, CSR, Official Court Reporter,  
Superior Court of Shasta County  
Mr. Paul J. Runyon, Administrator, Litigation Support,  
Superior Court of Los Angeles County  
Mr. Alan Slater, Chief Executive Officer, Superior Court  
of Orange County  
Ms. Fiel Tigno, Esq., Supervising Deputy  
Attorney General, Office of the Attorney General,  
Department of Justice

#### ***TASK FORCE MEMBERS ABSENT:***

Hon. John S. Einhorn, Assistant Presiding Judge,  
Superior Court of San Diego County  
Ms. Barbara J. Lane, CSR, Supervisor, Court Reporters,  
Superior Court of Riverside County  
Ms. Kary Parker, CSR, Official Court Reporter, Superior  
Court of Orange County

#### ***TASK FORCE LIAISON:***

Ms. Julie R. Peak, CSR, Chair, Court Reporters Board of  
California (**Absent**)

#### ***PRESENTERS:***

None

#### ***GUESTS:***

None

#### ***FACILITATOR:***

Ms. Sharon Maher, Maher & Company (**Present**)

#### ***AOC STAFF PRESENT:***

Ms. Pat Sweeten, Director, Executive Office Programs  
Division  
Ms. Christine E. Patton, Regional Director, Bay  
Area/Northern Coastal Region  
Ms. Sally Lee, Manager, Executive Office Programs  
Division  
Ms. Claudia Ortega, Lead Staff, Senior Court Services  
Analyst, Executive Office Programs Division  
Mr. Yonkel Goldstein, Attorney, Office of the General  
Counsel  
Ms. Josely Yangco-Fronza, Administrative Coordinator,  
Executive Office Programs Division

#### ***AOC STAFF ABSENT:***

Mr. Martin Riley, Governmental Affairs Analyst, Office  
of Governmental Affairs  
Ms. Deborah Silva, Administrative Coordinator,  
Executive Office Programs Division

## **Meeting Minutes**

### **Wednesday, October 29, 2003**

#### **Item 1            Opening Remarks**

Administrative Presiding Justice James A. Ardaiz, Chair of the Reporting of the Record Task Force, called the meeting to order at 1:35 p.m. The task force expressed its concern for the absent members affected by the Southern California fires. Justice Ardaiz provided an overview of the day's agenda, which included court ownership of the future digital court paid transcripts. Discussion would also center on the related concepts of revenue neutrality for court reporters and expenditure neutrality for the courts.

#### **Item 2            Public Comment**

Members of the public did not address the task force on this day.

#### **Item 3            Ownership of the Digital Transcript**

At the September 2003 business meeting, the task force developed a preliminary recommendation, which would allow the courts to own and control court paid transcripts once the courts have purchased the original from court reporters. The task force agreed that this change must be achieved without increasing court expenditures or decreasing overall reporter revenues. To continue this discussion, the task force began to define the meaning of "revenue neutrality" for court reporters and "expenditure neutrality" for the courts. The task force considered page rates, word rates, and weighted averages as potential methods of determining payment for such transcripts. The task force developed a working calculation to determine payment. Members did not formulate final recommendations on this subject.

#### **Item 4            Hotel Shuttle Information**

Ms. Claudia Ortega conveyed the shuttle schedule to the task force.

#### **Item 5            Other Business/Adjournment**

With no further business, Justice Ardaiz adjourned the meeting at 4:40 p.m.

## **Meeting Minutes**

### **Thursday, October 30, 2003**

#### **Item 1            Recap of the Previous Day's Discussion**

Justice Ardaiz called the meeting to order at 8:50 a.m. and briefly summarized the previous day's discussion.

## **Item 2            Public Comment**

Members of the public did not address the task force on this day.

## **Item 3            Ownership of the Digital Transcript (Continued)**

The task force resumed its discussion regarding ownership of court paid transcripts, revenue neutrality, expenditure neutrality, and payment methodology. Justice Ardaiz stressed the importance of task force members separating objectives from the discussion concerning process. He also emphasized to the members that in order for their recommendations to be considered credible, their recommendations could not result in increases to the judicial branch budget. The task force then developed guiding principles regarding payment for court ownership of court paid transcripts.

Justice Ardaiz called for a motion to adopt the following as guiding principles regarding payment for court ownership of court paid transcripts:

- Compensation by word
- Budget neutral/expenditure neutral
- Statewide transcript rate standard

Motion by: Mr. Gary Evan McCurdy; Second: Hon. S. William Abel.

- Passed by unanimous vote of the task force. Ms. Maura Baldocchi requested the minutes reflect her express concern that any individual reporter experiences a reduction in his or her rate of compensation for court paid transcripts.

The task force then discussed the use of one common software to verify the number of words in a transcript for the purposes of determining payment.

## **Item 4            Draft Minutes**

The task force reviewed the draft September 2003 minutes and suggested one amendment.

Justice Ardaiz called for a motion to approve the draft minutes of the September 2003 meeting with the proposed amendment.

Motion by: Mr. McCurdy; Second: Mr. Len LeTellier.

- Passed by unanimous vote of the task force.

## **Item 5            Web Site Correspondence to the Task Force**

This item was carried over to the next day's agenda.

## **Item 6            Transcript Format – Status Review and Certificates**

Ms. Sharon Maher provided an overview of the task force's progress in developing a uniform transcript format. At the last meeting, Justice Ardaiz asked the court reporter members to develop specific recommendations regarding certification, identification of common events, and identification of speakers. Accordingly, Mr. Gary M. Cramer outlined recommendations he developed with Ms. Kary Parker regarding transcript certification. The task force reviewed the recommendations and reaffirmed its earlier determination that the future digital transcript should be filed with the courts utilizing an online registration process. The task force then concluded

that this online registration process should allow court reporters to certify the transcript as they are filing it with the court. The members created working guidelines for online registration, certification, and electronic filing. The working guidelines also discuss the role of primary court reporters or court designees for multiple reporter cases. Ms. Ortega agreed to provide a sample online registration form for the task force's discussion at the next meeting.

**Item 7            Transcript Format – Identification of Common Events**

Due to time constraints, this agenda item was carried over to the next day.

**Item 8            Hotel Shuttle Information**

Ms. Ortega conveyed the shuttle schedule to the task force.

**Item 9            Adjournment**

With no further business, Justice Ardaiz adjourned the meeting at approximately 5:00 p.m.

**Meeting Minutes  
Friday, October 31, 2003**

**Item 1            Recap of the Previous Day's Discussion**

Justice Ardaiz called the meeting to order at 8:45 a.m. He recapped the previous day's discussions and stated this day's agenda would focus on transcript format.

**Item 2            Public Comment**

Members of the public did not address the task force on this day.

**Item 3            Airport Shuttle Information**

Ms. Ortega distributed the sign-up sheet for shuttles to the airports.

**Item 4            Web Site Correspondence to the Task Force**

Justice Ardaiz reported the public has not sent any e-mails to the task force via its Web site since the last meeting.

**Item 5            Transcript Format – Certificates (Continued)**

The task force continued its discussion regarding online registration, certification, and electronic filing. Discussion centered on the content of the attestation language, ability for users to search the certificate's text, and whether pro tempore reporters would be required to register and file their transcripts online.

**Item 6            Ownership of the Digital Transcript (Continued)**

The task force reviewed and reaffirmed the guiding principles it developed regarding payment for court paid transcripts.

**Item 7            Transcript Format – Identification of Common Events**

Ms. Baldocchi summarized the recommendations she developed with Ms. Barbara Lane. The task force reviewed these recommendations and reaffirmed its working definition of a common event as identified in a transcript. The members also began to develop additional guiding principles regarding this subject.

The task force concluded that it could not create specific recommendations for each event that should be identified and how it should be identified. Justice Ardaiz then asked the court reporter members of the task force to draft general guidelines, rather than specific recommendations, regarding how common events should be identified. Ms. Baldocchi agreed to provide such guidelines at the next meeting.

**Item 8            Transcript Format – Identification Of Speakers**

The task force briefly discussed this agenda item. Justice Ardaiz asked that the court reporter members to also draft general guidelines concerning this transcript format item. Mr. Tom Pringle agreed to provide such guidelines at the next meeting.

**Item 9            Transcript Format – Title Page and Cover Page**

This agenda item was carried over to the next business meeting.

**Item 10          Transcript Format – Seal**

This agenda item was carried over to the next business meeting.

**Item 11          Recap of Task Force Accomplishments to Date and Future Course of Action**

Justice Ardaiz acknowledged the significant level of resolution reached at the meeting and thanked the members for their efforts.

**Item 12          Adjournment**

Justice Ardaiz adjourned the meeting at 11:50 a.m.